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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 AL-HARETH AL-ALBUSTANI,

11 Plaintiff,

12 v.

13 SEAN B. ALGER, et al.,

14 Defendants.

CASE NO. C22-5238JLR

ORDER

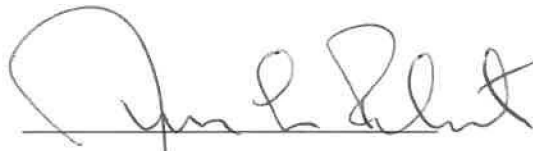
15 On July 26, 2022, the court ordered Mr. Al-Bustani¹ to provide proof of service
16 for the following Defendants within 45 days: Steve Outtrim, Evan Watson, and Harrison
17 Lindley. (7/26/22 Order (Dkt. # 30).) The court warned Mr. Al-Bustani that failure to
18 provide proof of service before the 45-day period expired on September 16, 2022 would
19 result in dismissal without prejudice of the un-served Defendants from this action. (*Id.*)

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21 ¹ In prior filings, Plaintiff was identified as Al-Hareth Al-Albustani. Plaintiff's amended
22 complaint seeks to correct the spelling of his name to "Al-Hareth Al-Bustani." (*See* Mot. to Am.
Comp. (Dkt. # 38) at 6.) Accordingly, the court will refer to Plaintiff using the corrected spelling
of his name.

1 Mr. Al-Bustani, however, has not provided proof that he has served any of these three
2 Defendants.² (*See generally* Dkt.)

3 If a defendant is not served within 90 days after the complaint is filed or after an
4 appropriate extension, the court must dismiss without prejudice any action against that
5 defendant. *See* Fed R. Civ. P. 4(m). Here, Mr. Al-Bustani has failed to provide proof of
6 service for Mr. Outtrim, Mr. Watson, and Mr. Lindley, even after a 45-day extension to
7 effect service. (*See generally* 7/26/22 Order at 3; Dkt.) Accordingly, the court
8 DISMISSES Steve Outtrim, Evan Watson, and Harrison Lindley from this action. Mr.
9 Al-Bustani's claims against these Defendants are dismissed without prejudice.

10 Dated this 19th day of September, 2022.

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13 JAMES L. ROBART
14 United States District Judge
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20 ² In its July 26, 2022 order, the court also ordered Mr. Al-Bustani to provide proof of
21 service for Defendant Kay Stone. (*See* 7/26/22 Order at 1-2.) Although Mr. Al-Bustani has also
22 failed to provide proof of service as to Ms. Stone (*see generally* Dkt.), he informs the court that
he has learned that her real name is Ashley Stinnett and represents that he will serve Ms. Stinnett
after he correctly identifies her in the amended complaint (*see* OSC Resp. (Dkt. # 27)). Because
Mr. Al-Bustani has a pending motion for leave to file an amended complaint (*see* Mot. to Am.
Comp.), the court will not dismiss Ms. Stinnett at this time.